

DOCKET NO: 262808US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Nghi NGUYEN et al

SERIAL NUMBER: 10/532,317

FILED: 22 April 2005

FOR: HEAT ACTIVATED DURABLE STYLING COMPOSITIONS COMPRISING
SACCHARIDE TYPE COMPOUNDS AND FILM FORMING AGENTS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D. C. 20231

Sir:

Responsive to the notification dated July 24, 2006, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a copy of the date-stamped filing receipt evidencing the filing of the Rule 63 Declaration on May 12, 2006 along with a copy of the Response to notification and a copy of the notification mailed April 4, 2006. The undersigned further states that the copies being submitted herewith are true copies of the papers previously filed on May 12, 2006.

The required surcharge was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

Customer Number

22850

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P. C.

Richard L. Treanor
Attorney of Record
Registration No. 36,379

(703) 413-3000

Surinder Sachar
Registration No. 34,423

KTY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/532,317	Nghi Nguyen	262808US0PCT

22850
 C. IRVIN MCCLELLAND
 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
 1940 DUKE STREET
 ALEXANDRIA, VA 22314

INTERNATIONAL APPLICATION NO.	
PCT/IB02/04734	
I.A. FILING DATE	PRIORITY DATE
10/22/2002	

CONFIRMATION NO. 9978

371 FORMALITIES LETTER



OC000000019721539

ET

COPY

Date Mailed: 07/24/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/22/2005
- Copy of the International Search Report filed on 04/22/2005
- Copy of IPE Report filed on 04/22/2005
- Preliminary Amendments filed on 04/22/2005
- Information Disclosure Statements filed on 04/22/2005
- Request for Immediate Examination filed on 04/22/2005
- Copy of references cited in ISR filed on 04/22/2005
- U.S. Basic National Fees filed on 04/22/2005

RECEIVED: 7/31/06
 OBLON, SPIVAK, MCCLELLAND
 MAIER & NEUSTADT, P.C.
 DOCKETING DEPT.
 Initials/Date Docketed: PP 7/31/06
 Type of Resp(s): Resp to Notice
 Due Date(s): 9-24-06

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/532,317	PCT/IB02/04734	262808US0PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)

 Due Date June 4, 2006

OSMM&N File No. 262808US0PCT

By RLT/ktv/FF

Serial No. 10/532,317

In the matter of the Application of Nghi NGUYEN, et al.

For HEAT ACTIVATED DURABLE STYLING COMPOSITIONS COMPRISING
SACCHARIDE TYPE COMPOUNDS AND FILM FORMING AGENTS

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Response to Notice of Missing Requirement Under 35 U.S.C 371
- Combined Declaration, Petition & Power of Attorney (2 pages)
- Copy of Notification of Missing Requirements
- Dep. Acct. Order Form
- Copy of English translation of Specification

DATE RECEIVED _____

COPY



Declaration, Power of Attorney and Petition

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

HEAT ACTIVATED DURABLE STYLING COMPOSITIONS COMPRISING SACCHARIDE TYPE COMPOUNDS AND FILM FORMING AGENTS

the specification of which

☒ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and amended on _____

☒ was filed as PCT international application

Number PCT/IB02/04734

on October 22, 2002,

and was amended under PCT Article 19

on _____ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

We (I) hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

COPY

We (I) hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or under §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (pending, patented, abandoned)
<u>PCT/IB02/04734</u>	<u>October 22, 2002</u>	<u></u>

And we (I) hereby appoint the following registered practitioner(s):

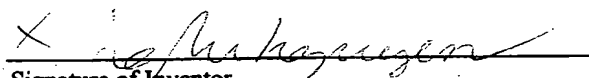
Customer Number
22850

as our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to

Customer Number
22850

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Nghi NGUYEN
NAME OF FIRST OR SOLE INVENTOR

X 
Signature of Inventor

X 7/15/2005
Date

David W. CANNELL
NAME OF SECOND JOINT INVENTOR


Signature of Inventor

X 17/7/05
Date

Residence: 8 Churchill Road
Edison, New Jersey 08820
United States

Citizen of: United States
Mailing Address: Same as above

Residence: 1314 Highland Avenue
Plainfield, New Jersey 07060
United States

Citizen of: United States
Mailing Address: Same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Nghi NGUYEN et al

SERIAL NUMBER: 10/532,317

FILED: 22 April 2005

FOR: HEAT ACTIVATED DURABLE STYLING COMPOSITIONS COMPRISING
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RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

COMMISSIONER FOR PATENTS
Box PCT
Alexandria, VA 22313

COPY

SIR:

Responsive to the notification dated April 4, 2006, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration attached to a copy of the English translation of specification. The required surcharge was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$-0.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Richard L. Treanor
Attorney of Record
Registration No. 36,379

Surinder Sachar
Registration No. 34,423

(703) 413-3000



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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/532,317	Nghi Nguyen	262808US0PCT

INTERNATIONAL APPLICATION NO.

PCT/IB02/04734

I.A. FILING DATE

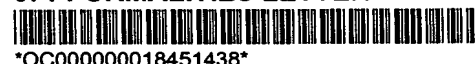
PRIORITY DATE

10/22/2002

22850
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

CONFIRMATION NO. 9978

371 FORMALITIES LETTER



OC000000018451438

Date Mailed: 04/04/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

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- Request for Immediate Examination filed on 04/22/2005
- Copy of references cited in ISR filed on 04/22/2005
- U.S. Basic National Fees filed on 04/22/2005

COPY

RECEIVED: 4/10/06
OBLON, SPIVAK, MCCLELLAND
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: PP 4/10/06
Type of Resp(s): Deed Due
Due Date(s): 6-4-06

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

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CHRISTINE S WASHINGTON

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FORM PCT/DO/EO/905 (371 Formalities Notice)